

THE VICTIMS' VOICE

September 2015 Newsletter



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CT State Victim Advocate

2015 Legislative Session

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State of CT Office of
The Victim Advocate



ADVOCATE'S CORNER



Natasha M. Pierre, Esq.

I am pleased to revive *The Victim's Voice* to provide information and resources for victims of crime. When Governor Malloy appointed me as State Victim Advocate, several people approached me and said "that's a difficult job, but you can handle it." I did not understand the significance of these comments until I entered the job.

However, eight months into the position, I understand. It is a difficult job because although victims of crime have a state constitutional right to be treated with fairness and respect throughout the criminal justice process, receive information and notification of the arrest and court proceedings, and to be reasonably protected from the accused through the criminal justice process, those rights are violated on a regular basis.

But, I can handle it, with the assistance of OVA staff, victims of crime, advocates, the judicial branch, law enforcement, legislators, and YOU. We all must continue to speak out against the re-victimization of victims of crime by the criminal justice system, advocate for enforcement of the laws on the books, and encourage a system that does not violate a victim's rights in furtherance of the defendant's rights.

REGISTER TODAY!

*Would you like to be the first to know about news & events?
Please visit the OVA website to register & receive notice of special news,
event information, legislative business and more!*



If you have an event that relates to crime victims or our community, share your event with us and we will share it too! Contact our office today!

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LEGISLATIVE UPDATE 2015



This is a brief summary of some of the recent bills passed in CT that directly affect crime victims. Visit www.ct.gov/ova for full list.

Acts Concerning Domestic Violence

Public Act No. 15-175 (House Bill No. 6971):

Creates the crime of electronic stalking as a separate stalking crime and makes it a class B misdemeanor. A person commits electronic stalking by willfully and repeatedly using a global positioning system or similar electronic monitoring system to remotely determine or track someone's position or movement, thereby recklessly causing the individual to reasonably fear for his or her physical safety.

Acts Concerning Sexual Offenders

Special Act No. 15-2 (Senate Bill No. 1087):

Requires the Connecticut Sentencing Commission to study: (1) The sentencing of sexual offenders; (2) the risk assessment and management of sexual offenders; (3) the registration requirements and registry; (4) the information available to the public and law enforcement regarding sexual offenders; (5) the effectiveness of a tiered classification system based on the risk of re-offense; (6) methods to reduce and eliminate recidivism by individuals convicted of a sexual offense; (7) housing opportunities and obstacles for sexual offender registrants; (8) options for post-sentence appeals concerning the registry status of a sexual offender registrant; (9) sexual offender management; and (10) victim and survivor needs and services and community education. The Victim Advocate is appointed to the CT sentencing Commission.

Acts Concerning Children

Special Act No. 15-10 (Senate Bill No. 303): Establishes a task force to study the state-wide response to minors exposed to family violence.

Public Act No. 15-221 (Senate Bill No. 312): Requires the Child Fatality Review Panel to review current practices, policies, and procedures protecting children up to age three from unexpected death or critical injury and submit a report to the Education and Children's committees on their effectiveness in providing such protection by October 1, 2016.

Public Act No. 15-208 (House Bill No. 6725): Requires the Department of Children and Families (DCF) commissioner, in consultation with the Department of Agriculture commissioner and within available appropriations, to develop a protocol to identify and mobilize animal assisted critical incident response teams statewide.

Acts Concerning Sexual Assault

Public Act No. 15-16 (Senate Bill No. 966): Allows sexual assault forensic examiners (SAFE) to treat sexual assault victims who are patients in certain health care facilities operated by a higher education institution.

Public Act No. 15-205 (House Bill No. 6186): Increases, from a class A misdemeanor to a class E felony, the penalty for a mandated reporter who fails to report suspected child abuse or neglect to DCF if (1) the violation is a subsequent violation; (2) the violation is willful, intentional, or due to gross negligence; or (3) the mandated reporter had actual knowledge of the abuse, neglect, or sexual assault.

Public Act No. 15-207 (House Bill No. 6498): Makes various changes affecting evidence in sexual assault cases and establishes deadlines for transferring and processing sexual assault evidence that the police obtain from health care facilities. Additionally, if an accused seeks to introduce evidence of a victim's sexual conduct in a sexual assault case, the bill requires the hearing on the motion to be held in camera (i.e., in private).

Public Act No. 15-218 (House Bill No. 7048): Requires state and municipal agencies that incarcerate or detain juvenile offenders, including immigration detainees, to adopt and comply with the applicable standards recommended by the National Prison Rape Elimination Commission for preventing, detecting, monitoring, and responding to sexual abuse. The agencies covered are prisons, jails, community correction facilities, juvenile facilities, and lockups.

Acts Concerning Victims of Human Trafficking

Public Act No. 15-195 (House Bill No. 6849): Expands the crime of human trafficking by broadening the conditions under which the crime is committed when the victim is a minor (under age 18); requires the Department of Public Health (DPH) to provide human trafficking victims the same services it must provide certain sexual assault victims under existing law; expands the conditions under which a court must order the erasure of a juvenile's police and court records; expands the list of crimes, including human trafficking, for which wiretapping may be authorized; increases, from 20 to 22, the membership of the Trafficking in Persons Council; and specifically allows the Office of Victim Services (OVS), under certain circumstances, to waive the two-year limitation on crime victim compensation applications for minors who are victims of human trafficking.



-PARTNERS AT WORK-



We asked Jessica Pizzano, Survivors of Homicide Victim Advocate, and she answered!

What is your role at Survivors of Homicide (SOH)?

First and foremost I am their Victim Advocate. I provide any kind of support that a family needs including: court support, advocacy, co-facilitating support groups and crisis counseling. Most importantly I listen. It may be over a cup of coffee or by phone, but a key part of helping others is to simply listen to what they need to share. My goal is to help people know that they are not alone. I don't have all the answers, but often people are not looking for them. I consider myself the hub for the agency and our members are the spokes that keep the wheel turning. They are the best sources for information because they have been there and they truly understand.

How did SOH come about?

SOH was founded in 1983 by a group of families who lost family members to homicide. Sharon and Gary Merton were our founding Presidents. Their daughter, Shari-Ann, was murdered by her boyfriend in 1983 and her parents were thrust into a judicial system that at the time, was uncaring, and unprepared to deal with friends and family of homicide victims. There were no Victim Advocates, no support groups, nor was there any compensation available for these families. When their daughter's killer was sentenced, the Merton's almost missed the hearing because the court moved the

date up two weeks and the family was not notified. As a result of their experiences the Merton's formed SOH to not only provide support and advocacy for survivors of homicide, but also to speak out for changes to improve the criminal justice system. In fact, SOH was instrumental in helping to pass the Victims Rights' Amendment in 1996 to ensure that victims would be treated fairly and compassionately in our judicial system.

What do you want people to know most about SOH?

Our members have a saying that we share with others. We are the group that no one ever wants to belong to, but it is the only place where survivors can be together and understand each other. Even when words cannot be spoken. We are the only place where we are all the same. Everyone goes through grief differently, but everyone is connected through a common bond of pain and loss .

We never say that things get easier, they get different. Our goal is to help people rebuild their lives after the homicide. To help them find a new "normal." You never get over a homicide. It is a part of you for the rest of your life.

While we meet to cope with our losses, we also meet to celebrate good times. We hold yearly events (or happy events as some call them) such as:

Golf Tournament, Holiday Dinner Gathering, Summer Picnic, Motorcycle Run, Lantern/Balloon Releases.

We love the opportunity to bring our membership together to do positive and uplifting things. None of our fundraising money goes toward administrative expenses, but instead provides support to our membership.

Even though we have been around since 1983 we are still a very grass roots and membership based organization and I think that is what sets us apart from other agencies. We are guided by a Board of Directors that are all volunteers, work full time jobs, and most of them are also survivors of homicide.

What obstacles do you face as a service provider?

Lack of funding to expand clinical services specifically geared towards survivors of homicide. It is a very specialized field that not everyone can handle. I have worked with clients who have been further victimized by well meaning providers, who simply did not know how to work with them.

What in the state do you see needs improving?

The state really needs to find a way to limit the amount of habeas hearings/appeals offenders can have. It is not only a drain on our judicial system, but it re-victimizes families every time they receive notification that their offender is coming back to court. Our judicial system is built around protecting the rights of the accused, but unfortunately those rights often bring emotional harm to families. Even when someone is convicted it is not over for the families. They face years of appeals and hearings in which they have no say and they cannot speak at. ►

Continued from page 2...

There is also an urgent need for more court Victim Advocates. This would be a crucial step to help improve victim services. There are simply not enough court advocates to handle the sheer amount of cases that they have. It is almost impossible for them to meet with every victim that comes through the court house, especially when they have multiple cases going on at the same time. Meeting with the advocates is often the first service that a family receives. They are the people who provide referrals to

services, including ours. They are often the first responders after the police leave.

While much progress has been made I feel that as a society we need to change the way that we view homicide victims. We need to stop categorizing them as "good" victims and "bad" victims. No one deserves to be murdered and their families are left behind to deal with the loss.

Homicide can happen anywhere at any time. It doesn't just happen in Hartford or New Haven. It happens in Simsbury and it happens in Durham.

Homicide is something no one ever wants to think about and I think that we want to protect ourselves by thinking "this can't happen to me because I'm not like this person or because I don't live in a town like that." How many times do we see a news interview where a neighbor says; "that doesn't happen in a place like this," but sadly it can and sadly it does.

For more information visit www.survivorsofhomicide.com or call 860.257.7388.

DOMESTIC VIOLENCE: WHAT TO DO ONCE THE POLICE LEAVE

Victims:

In many instances, victims do not know what the next step is after the police leave the scene of a domestic dispute. Victims are left to deal with the aftermath of an emotional and often traumatic situation with several unanswered questions, especially, what happens next?



It can be difficult to remember all the information a police officer shared at the scene and that is perfectly normal. Victims should know they can call the officer to follow up regarding the investigation and ask to be notified of any updates. This is helpful in knowing whether an arrest was made or

will be made, when the offender will be released, or the next court date.

It is also important that victims call the Domestic Violence Hotline to be connected to services. Assistance is available to prepare a safety plan, assist in finding safe housing, and most importantly an advocate to help victims throughout the court process and to help them to understand their state constitutional rights as a crime victim. Contact the CT Coalition Against Domestic Violence, also known as CCADV, by calling 1-888-774-2900.

Officers:

When a judge issues an order of protection prohibiting the offender from entering his/her dwelling, the offender will likely be advised they may contact the police for a **one-time escort** to retrieve personal belongings.

- Initiation of the retrieval shall be at the discretion of the agency in a time period that is reasonable and practical.
- The officer must verify the order and that the retrieval has not already been completed by another officer.
- The officer must contact the protected party to arrange a time for the retrieval and give ample notice.
- If the officer is unable to make contact with the protected party, or if children are present, the retrieval should be scheduled for a later date/time.
- The officer is to accompany the respondent throughout the entire retrieval. The protected party has the choice to accompany the offender and officer during the retrieval.
- The retrieval should last no longer than 10-15 minutes, as the respondent is only retrieving essentials (clothes, toiletries, meds, etc.) Other non essential or valuable items are not to be removed (groceries, electronics, jewelry, furniture, etc.)
- Officers must document the retrieval has occurred.
- The respondent must not be allowed to use this as a means of harassing the protected party.
- As of January 1, 2015: violations of a criminal protective order, standing criminal protective order or restraining order are C felonies if violation involves any restraint, threatening, harassment, assault, sexual assault or attacking the protected person.

OVA on the road...

The Office of The Victim Advocate is charged with the promotion and protection of crime victims' rights in the state of Connecticut. With this mission the OVA attends and hosts different events and trainings throughout our state in support of crime victims!

SAVE THE DATES!

September 23: Visit the OVA in the CT House at the Big E!

October 6: Haddam-Killingworth Informational Expo



OVA Staff Attorney Hakima Bey-Coon was in attendance in New Haven, CT where Gov. Malloy signed a new law to combat Minor Sex Trafficking.



OVA Staff Merit & Vanessa at this years Tee off with Women to End Domestic Violence hosted by CRT.



State Victim Advocate, Natasha M. Pierre attended the bill signing ceremony at The CT Sexual Assault Crisis Services (CONNSACS) for An Act Concerning Evidence in Sexual Assault Cases.



The OVA was invited to the 2015 Southeast Healthy Living Expo in Norwich, CT on July 15, 2015. OVA Complaint Officer Merit Lajoie spoke to over 300 attendees sharing the work of the OVA and answering questions.

Contact the OVA to request copies of any of these brochures:

**A Guide To
Internet Safety
For You And
Your Child**



**Missing
Persons:
Information
You Should
Know**



**A Guide to
Living Bully
Free**



**A Guide to
Dealing with
Elder Abuse**



**Stop Human
Trafficking**



**Protect
Yourself From
Identity Theft**



**Family
Restraining
Orders**



**Criminal
Orders of
Protection**



**Civil
Protection
Order**



**Teen Dating
Violence:
What You
Should Know**



**U Visas For
Victims of
Crime**



**T Visas for
Victims of
Human
Trafficking**



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